

Hon. Marc Barreca
Chapter 7
Hearing: March 28, 2018, 10:00 a.m.
Marysville
Response due: March 21, 2018

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

IN RE:

RICHARD LLEWELYN JONES,

Debtor.

NO. 17-14888

MOTION TO ABANDON CLAIMS
AGAINST PENNY STAFFORD

The Trustee, Virginia Burdette, through her undersigned attorney, moves the Court for an order authorizing the abandonment of any and all claims of the Debtor against Penny Stafford, whether those claims are held by the Debtor individually or by his closely held entity Richard Llewelyn Jones, P.S.

The Debtor through his "P.S." entity commenced an adversary proceeding against Ms. Stafford, Adv. No. 17-1006. According to the Complaint, the Debtor contends that Ms. Stafford owes the P.S. \$11,719.89 for unpaid attorney's fees. Ms. Stafford has counterclaimed for damages on a variety of claims, in an unspecified amount.

The Debtor has scheduled his interest in the P.S. as an asset in this bankruptcy case, although he states the value of the P.S. to be \$3,713.98, consisting of a \$3,000 automobile and \$713.98 in bank funds. To the extent he intended to disclose the claim as an asset held by the P.S. or by himself personally, the Debtor attributed no value to the Stafford claim.

MOTION TO ABANDON CLAIM - Page 1 of 2

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1 The Trustee has reviewed the litigation involving Ms. Stafford, and has determined that
2 whatever claims the Debtor or his entity may have against Ms. Stafford are of no value to the
3 bankruptcy estate, in light of the small face value of the claim, costs of litigation, and the potentially
4 large setoff claim held by Ms. Stafford.

5 11 USC § 554 provides, in relevant part: "After notice and a hearing, the trustee may abandon
6 any property of the estate that is burdensome to the estate or that is of inconsequential value and
7 benefit to the estate." The Trustee believes any interest that this bankruptcy estate has in a claim
8 against Penny Stafford is of inconsequential value and benefit to the estate, and should be abandoned.

9 DATED February 16, 2018.

10 WENOKUR RIORDAN PLLC

11 */s/ Alan J. Wenokur*

12 Alan J. Wenokur, WSBA # 13679
13 Attorney for Trustee

14 **DECLARATION**

15 VIRGINIA BURDETTE declares under penalty of perjury that the foregoing is true and correct
16 to the best of my knowledge:

17 I am the Chapter 7 Trustee in this case. I have reviewed the motion to abandon prepared by my
18 counsel in this case. I believe the claim is of no value to this bankruptcy estate, and it would be
19 financially burdensome to the estate and its professionals to both advance the claim and defend the
20 counterclaim.

21 Dated February 16, 2018, in Seattle, Washington.

22 */s/ Virginia Burdette*

23 Virginia Burdette, Trustee

24 MOTION TO ABANDON CLAIM - Page 2 of 2

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